

July 13, 2010
Reorganizational & Regular Meeting

**MINUTES OF THE REORGANIZATIONAL MEETING
and REGULAR CITY COUNCIL MEETING HELD JULY 13, 2010**

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, July 13, 2010, at 6:00 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Christina J. Luman-Bailey, Councilor - Ward #1
 Curtis W. Harris, Councilor - Ward #2
 Michael C. Bujakowski, Councilor - Ward #3
 Gerald S. Stokes, Councilor - Ward #4
 K. Wayne Walton, Councilor - Ward #5
 Brenda S. Pelham, Councilor - Ward #6
 Jackie M. Shornak, Councilor - Ward #7

 Thomas E. Lacheney, City Attorney
 Ann M. Romano, City Clerk
 Edwin C. Daley, City Manager

REORGANIZATIONAL MEETING

Ann M. Romano, City Clerk, called the meeting to order at 6:00 PM. Upon the roll call, attendance was taken as follows:

Councilor Bailey	-	present
Councilor Harris	-	present
Councilor Bujakowski	-	present
Councilor Stokes	-	present
Councilor Walton	-	present
Councilor Pelham	-	present
Councilor Shornak	-	present

REORGANIZATIONAL MEETING

Ann M. Romano, City Clerk, opened the meeting at 6:00 PM.

The purpose of the meeting was to elect a Mayor and a Vice Mayor, each of whom shall serve a period of two years in accordance with Chapter 4, Section 4, of the City Charter.

The floor was opened for nominations for Mayor.

Motion was made by Councilor Harris, and seconded by Councilor Shornak to nominate Wayne Walton for Mayor.

Motion was made by Councilor Stokes, and seconded by Councilor Pelham, to nominate Christina J. Luman-Bailey for Mayor.

There being no other nominations for Mayor, nominations were closed.

Upon the roll call on the motion to elect K. Wayne Walton as Mayor, the vote resulted:

Councilor Bailey	-	NO
Councilor Harris	-	yes
Councilor Bujakowski	-	NO
Councilor Stokes	-	NO

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Councilor Walton	-	yes
Councilor Pelham	-	NO
Councilor Shornak	-	yes

The result was 4 no/3 yes. The motion failed.

Upon the roll call on the motion to elect Christina J. Luman-Bailey as Mayor, the vote resulted:

Councilor Bailey	-	yes
Councilor Harris	-	NO
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Councilor Walton	-	NO
Councilor Pelham	-	yes
Councilor Shornak	-	NO

The result was 4 yes/3 no. The motion passed.

Christina J. Luman-Bailey was declared Mayor of the City of Hopewell for a term extending through June 30, 2012.

Mayor Luman-Bailey opened the floor for nominations for Vice Mayor.

Motion was made by Councilor Pelham, and seconded by Councilor Stokes, to nominate Michael C. Bujakowski for Vice Mayor.

Motion was made by Councilor Shornak, and seconded by Councilor Harris, to nominate K. Wayne Walton for Vice Mayor.

There being no other nominations for Vice Mayor, nominations were closed.

Upon the roll call on the nomination for Michael C. Bujakowski for Vice Mayor, the vote resulted:

Mayor Bailey	-	yes
Councilor Harris	-	NO
Councilor Bujakowski	-	NO
Councilor Stokes	-	yes
Councilor Walton	-	NO
Councilor Pelham	-	yes
Councilor Shornak	-	NO

The result was 4 no/3 yes. The motion failed.

Upon the roll call on the nomination for K. Wayne Walton for Vice Mayor, the vote resulted:

Mayor Bailey	-	NO
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	NO
Councilor Walton	-	yes
Councilor Pelham	-	NO
Councilor Shornak	-	yes

The result was 4 yes/3 no. The motion passed.

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K. Wayne Walton was declared Vice Mayor of the City of Hopewell for a term extending through June 30, 2012.

Circuit Court Clerk, Kay Rackley administered the Oath of Office to the Mayor and Vice Mayor.

After taking her seat, Mayor Luman-Bailey invited comments from members of City Council.

Councilor Pelham congratulated the Mayor and Vice Mayor. She thanked citizens, City staff and administration for their support during the last two years.

Vice Mayor Walton thanked everyone who continues to put up with City Council. He stated that Council would do a better job in the next two years. Hopewell has many great opportunities and good things are about to happen.

Mayor Luman-Bailey welcomed the two newest Council members, Councilor Bujakowski and Councilor Shornak. She is looking forward to working together.

Motion to adjourn the Reorganizational Meeting was made at 6:15 PM by Vice Mayor Walton, and seconded by Councilor Harris. Upon the roll call, the vote resulted:

Mayor Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

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MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JULY 13, 2010

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, July 13, 2010, at 7:30 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT:	Christina J. Luman-Bailey, Mayor
	K. Wayne Walton, Vice Mayor
	Curtis W. Harris, Councilor
	Michael C. Bujakowski, Councilor
	Gerald S. Stokes, Councilor
	Brenda S. Pelham, Councilor
	Jackie M. Shornak, Councilor
	 Edwin C. Daley, City Manager
	Thomas E. Lacheney, City Attorney
	Ann M. Romano, City Clerk

REGULAR MEETING

Mayor Luman-Bailey opened the regular meeting at 7:30 PM. Roll call was taken as follows:

Mayor Luman-Bailey	-	yes
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Vice Mayor Walton	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

Prayer was offered by City Attorney Tom Lacheney, followed by the Pledge of Allegiance to the Flag of the United States of America.

CONSENT AGENDA

Motion was made by Councilor Pelham, and seconded by Councilor Harris, to approve the Consent Agenda: City Council Work Session 5/25/10, Regular Meeting 6/8/10, School Board Interview Meetings 6/14/10 & 6/16/10, Special Meeting 6/22/10, and Special Meeting 6/30/10; Pending List; Information for Council Review: Recreation Commission Agenda 6/9/10 & minutes 5/12/10; School Board Agenda 6/8/10, minutes 5/4/10, 5/7/10 & 5/13/10; Hopewell Twinning Association minutes 5/17/10 & 2010 Ashford Visit forms; ARLS minutes 6/15/10; LEPC minutes 6/1/10; Senior Citizens Advisory Comm. minutes 4/20/10; 2010 School Board Members/Supt. Directory; School Board Resolution & Meeting Schedule; and Twinning Assn. minutes 6/21/10; Personnel Change Report & Financial Report; Public Hearing Announcements: August 10, 2010 – PPEA Harlan Construction – Restroom/Concession Stand Mathis Field, and Authorization to obtain easements, by condemnation or otherwise, for the public purpose of installing sewer lines as part of the construction of a new primary sewage treatment facility; Routine Approval of Work Sessions: July 20, 2010; Ordinances on second and final reading: Ord. No. 2010-19–Irrigation Credit; Routine Grant Approval: None; Resolution–City Attorney-Salary Adjustment; Proclamations/ Presentations: Certificates of Appreciation (Ft. Lee Civilian-Military Council). Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

ORDINANCE NO. 2010-19

An Ordinance authorizing the City Manager to create an irrigation credit for sewer use charges in the City of Hopewell.

WHEREAS, the amount charged to sewer users in the City of Hopewell is based on the amount of water used by each customer; and

WHEREAS, many of the citizens of Hopewell water their lawns and perform other irrigation activities during the summer months; and

WHEREAS, the water used in irrigation is included in the calculation for sewer usage for the summer months.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL, that:

The City Manager is authorized and instructed to issue an “Irrigation Credit” to any citizen of the City of Hopewell who applies for said credit and properly complies with the application process established by the City Manager.

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The Irrigation Credit shall be calculated by the methodology utilized in the attached Exhibit titled: "Irrigation Sewer Bill Credit Invoice."

The Irrigation Credit shall be subject to the Policy and Instructions contained in the attached Exhibit titled: "Irrigation Sewer Bill Credit Invoice."

Irrigation Sewer Bill Credit Invoice

[Invoice Date]

[Street Address]
[Address 2]
[City, ST ZIP Code]
[Phone]

**Thanks for letting us
serve you!**

Winter Quarter Sewer Bill Amount
Winter Quarter Consumption(gallons)

Summer Quarter Sewer Bill Amount
Summer Quarter Consumption(gallons)

Irrigation Service Credit Calculation		Gallons	Total Amount
	Winter Quarter Consumption(gal)	0	
Summer Consumption estimated at 125% of winter quarter		0	
	Summer Quarter Consumption(gal)	0	
Difference between summer consumption and 125% of winter quarter			
	Consumption Credit(gal)	0	
	Credit Amount per gallon	\$0.0030	
		Total Refund	\$0.00

(if amount is negative, no refund can be paid)

Irrigation Sewer Service Credit Policy

1. City agrees that summer quarter consumption will be 125% of winter quarter consumption, measured in gallons, for consumers claiming the Irrigation Sewer Service Credit
2. Property address must be a "single" family classification
3. Owner/occupant may apply for irrigation credit amount
4. Owner/occupant may use the quarterly water bill paid in January, February, March or April as winter consumption
Owner/occupant may use the quarterly water bill paid in July, August, September or October as summer consumption
Quarterly water bill(Oct, Nov, Dec) paid in January used to claim irrigation sewer credit on July paid bill
Quarterly water bill(Nov, Dec, Jan) paid in February used to claim irrigation sewer credit on August paid bill
Quarterly water bill(Dec, Jan, Feb) paid in March used to claim irrigation sewer credit on September paid bill
Quarterly water bill(Jan, Feb, Mar) paid in April used to claim irrigation sewer credit on October paid bill
5. Irrigation Sewer Service Credit shall be refunded after the summer quarter billing and upon application by owner/occupant
6. Only one refund credit will be paid per year

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Instructions for receiving Irrigation Sewer Service Credit

1. Single-family residential
2. Owner/Occupant must provide copy of summer quarter water consumption bill
3. Owner/Occupant must certify that summer consumption in excess of adjusted winter consumption was for irrigation purposes

I, _____, certify that the irrigation sewer service credit amount that I am seeking reimbursement on was water consumption that did not enter the city's sewer system.

Signature

Date

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A RESOLUTION OF THE COUNCIL OF THE CITY OF HOPEWELL, VIRGINIA, ADJUSTING THE SALARY OF THE CITY ATTORNEY EFFECTIVE JULY 1, 2010

WHEREAS, pursuant to Hopewell City Charter Chapters V, VI and VII, the Council appoints the City Manager, City Attorney and City Clerk and sets their salaries by ordinance or resolution; and

WHEREAS, City Council has recently conducted evaluations of the performance of the City Manager, City Attorney and City Clerk, and is of the opinion that the current compensation of the City Attorney (\$100,000.00) should be adjusted to reflect a cost of living adjustment and merit increase.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOPEWELL that, effective July 1, 2010, the salary of the City Attorney be increased by a total of 16% per annum, which increase includes both the cost of living adjustment and a merit increase. This resolution shall take effect immediately upon passage.

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Mayor Luman-Bailey presented Certificates of Appreciation to those individuals who assisted in coordinating the recent Ft. Lee Civilian Military Council's luncheon meeting on June 8, 2010.

By consensus of Council Agenda Item CCR-4, Councilor Bujakowski – Request an Update to Funding Plan for Hopewell High School Renovations, was moved forward on the agenda.

CITIZEN/COUNCILOR REQUEST – COUNCILOR BUJAKOWSKI – REQUEST AN UPDATE TO FUNDING PLAN FOR HOPEWELL HIGH SCHOOL RENOVATIONS

Councilor Bujakowski requested from staff an update to the funding plan for Hopewell High School renovations.

Mr. Sanderson of Davenport & Co. made a brief presentation and distributed hand outs (filed in the City Clerk's Office). He explained the plan of finance update and objectives; summary observations; plan of finance assumptions; existing and anticipated high school renovation debt service, the \$7.7 million 2010 funding, wrapped debt service; existing and proposed debt service; tax impact analysis; and tax impact analysis utilizing decline in debt service.

Regarding the gym, Mr. Ray Watson, Deputy School Superintendent, indicated that some items had been pre-paid from the Building/Bus Fund. There will be cash balances at the end of the year. They are adding Deduct #6, the gym, back to the project. If more money should become available, they would add #5, then #4, and so on. He thanked Mayor Luman-Bailey and City Council, on behalf of the citizens of Hopewell, for allowing this project to be done. Councilor Bujakowski stated that the thanks should go to the former City Council.

COMMUNICATIONS FROM CITIZENS

Cecil Ellis, 3106 West Grant Street, Hopewell, reported on behalf of the Neighborhood Watch Advisory Council, which consists of 14 members and the Police Chief. Two members from each ward are appointed. There are currently two vacancies, one in Ward #3 and one in Ward #1. He feels that such vacancies are not advertised enough. There are approximately 50 churches in Hopewell. He suggested asking pastors to help get volunteers to serve on the NWAC. Mr. Ellis announced the National Night Out scheduled for August 3 at Crystal Lake. Last year over 600 people attended. The committee underestimated the size of the crowd, and there was not enough food. He is the Chairman of the Food Committee for the event this year. So far he has raised \$1,150 cash; 1,000 bottles of water; and 1,500 drinks. There will be games and prizes. He invited everyone who can, to be there. There will be 1,000 hot dogs. There is a need for overflow parking. He suggested that the schools might consider satellite parking and using school buses to transport people to Crystal Lake. Mr. Ellis has been on the NWAC since there were eight Neighborhood Watches in the City. There is now a total of 31 in the City. The City Wide NW meets on the second Thursday of the month at 7:30 PM. 99% of crimes are outside of Neighborhood Watch areas. He invited people to attend.

Yolanda Stokes, 14-A South 6th Avenue, Hopewell, congratulated Mayor Luman-Bailey and Vice Mayor Walton and all of City Council. Before she ran for the Ward #2 City Council seat, she started a social website on Facebook. She reported on some of the comments the site has recently received. Citizens are pleased with the changes in Hopewell; pleased with new members of the School Board and with new City Council members; thanked Councilor Pelham for the first Walk Against Crime; they thanked Councilor Pelham for the tenacity with which she fought some issues; all citizens are equal and look for the same support from Christina Luman-Bailey as the new Mayor.

Jimmie Earls, 612 Cedar Level Road, Hopewell, addressed Council regarding the City's Noise Ordinance. He feels that it gives rights to those who play loud music from 7:00 AM–11:00 PM. He quoted from Section 23.1 of the ordinance, “...an environment free from excessive noise...” Section 23.3 takes those rights away from citizens. He asked the Mayor which it was. He shared that at 9:50 AM on July 13 he could hear loud music from outdoors inside his house. He asked where was his quality of life. He felt that he could not call the police anymore, due to the ordinance. He asked for help for the citizens of Hopewell. He is tired of loud music at his home. He thinks that Council is wrong.

The City Attorney indicated that this is an issue of music. Other “noise” issues may be lawn mowers, etc. There would be a constitutional problem if the city does not treat everyone equally. Every citizen has the right to go to Circuit Court to file a Civil Nuisance Complaint. That would require a private attorney. The Virginia Supreme Court struck down every locality's Noise Ordinance. They did not put anyone on notice of what is unreasonable. The City of Hopewell adopted an ordinance of noise above a certain decibel level. However, it did not have a decibel meter. The present Noise Ordinance is enforceable and amendable.

Councilor Harris suggested that Council schedule a Closed Session in the future to deal with this matter.

There being no further speakers, Communications from Citizens was closed.

UNFINISHED BUSINESS – TERM LIMITS FOR ALL BOARDS AND COMMISSIONS

The City Council of the City of Hopewell desires a policy for the reappointment of members to Boards and Commissions. The City Council desires to promote citizen participation from a broad spectrum of the community; to retain the knowledge and experience provided by board/commission members who agree to continue as members for additional terms; and, to seek to balance the need for this background and experience of continuing board members with the need for a broad spectrum of community participation. The City of Hopewell Board and Commission members shall be eligible for two full terms plus any additional partial term (i.e., unexpired term) vacancy that may arise. Board and Commission members shall be eligible for a new appointment to the Board or Commission after one year. This policy shall guide City Council when considering appointments to the following

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boards/commissions: Hopewell School Board, ARLS Library Board, Planning Commission/Wetlands Board, Board of Zoning Appeals, Architectural Review Board, and the Hopewell Redevelopment and Housing Authority.

City Attorney Lacheney indicated that this was a “guideline” resolution, not a “binding” resolution. Some boards and commissions are created by state code. The School Board could have term limits, for instance, however the Planning Commissions does not allow term limits. Term limits can only be imposed if the Code of Virginia permits.

DISCUSSION: Setting term limits is a good idea; there was some strong opposition to using it as a guideline; it must be enforceable; Council must consider which boards and commissions should remain and which should be dissolved; the proposed guideline only refers to six boards: Hopewell School Board, ARLS Library Board, Planning Commission/Wetlands Board, BZA, ARB, and the HRHA; there was a suggestion to have a work session for further discussion on whether or not it is six or more or all; postpone the issue.

Motion was made by Vice Mayor Walton, and seconded by Councilor Harris, to postpone a Resolution for Term Limit Policy Guidelines for the City’s Boards, Commissions, Authorities and Committees until a Work Session on July 20, 2010 and to ask staff to review all boards and commissions.

A **Substitute Motion** was made by Councilor Stokes, and seconded by Councilor Pelham, to not vote on term limits, to postpone indefinitely, and to continue appointments as in the past.

After discussion on the **Substitute Motion**, Councilor Stokes withdrew his motion, and Councilor Pelham withdrew her second.

Upon the roll call on the **original motion** to postpone a Resolution for Term Limit Policy Guidelines for the City’s Boards, Commissions, Authorities and Committees until a Work Session on July 20, 2010 and to ask staff to review all boards and commissions, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

CITIZEN/COUNCILOR REQUEST – PLAQUE RECOGNIZING BRENDA HARRUP AS THE FOUNDER OF HERITAGE GARDENS

The members of the Nathaniel Cawsey Garden Club of Hopewell, Prince George and Petersburg requested approval from the City Council of the City of Hopewell to place an eight-inch by ten-inch (8” x 10”) bronze plaque at the entrance to Heritage Gardens. The plaque would recognize Brenda Harrup and the work she has done over the years, to beautify that corner of Hopewell. The wording would read: “*Heritage Gardens Foundation, Established in 1993 by Brenda Harrup on the former site of the City Point Inn.*” The Nathaniel Cawsey Garden Club is prepared to purchase said plaque and the mounting at their expense, but would request the City of Hopewell to properly install it. The 24” bronze stake does have a horizontal bar which would require a bag of cement to anchor it, preventing theft.

Motion was made by Councilor Harris, and seconded by Vice Mayor Walton, to resolve to approve a request from the Nathaniel Cawsey Garden Club to install a plaque recognizing Brenda Harrup as the Founder of Heritage Gardens, and to pay the cost of installation.

DISCUSSION: There was concern that the plaque should include everyone who helped on the initial committee be recognized; this is a private plaque; Council has a number of concerns about the future of Heritage Gardens; given

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the amount of work that went into the gardens, approval would not send the message that the City appreciates everything that went into it; there was discussion off and on during budget talks about whether or not to continue to maintain Heritage Gardens; there might be a different plaque at a different location; it should be resolved at the work session on July 20, 2010.

Councilor Harris **withdrew his motion** until discussion at the work session. Vice Mayor Walton withdrew his second to the motion.

Motion was made by Vice Mayor Walton, and seconded by Councilor Harris, to postpone approval of a request from the Nathaniel Cawsey Garden Club to install a plaque recognizing Brenda Harrup as the Founder of Heritage Gardens until the Work Session on July 20, 2010 at 6:30 PM. Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

CITIZEN/COUNCILOR REQUEST – COUNCILOR BUJAKOWSKI – DISCUSSION AND VOTE ON THE NECESSITY OF HOPEWELL’S CURRENT LOBBYIST GROUP

Councilor Bujakowski requested discussion on the necessity of Hopewell’s current Lobbyist Group, Alcade & Fay, Ltd.

The agreement between the City of Hopewell and Alcade & Fay, Ltd. was signed on December 19, 2008. The firm has qualified experts in the field of public works, transportation infrastructure, water resources, housing and Federal appropriation and grant programs. In late 2008 City Council found it necessary and desirable to employ the services of Alcade & Fay to assist the City with their areas of expertise. The agreement states that the lobbyist group would consult and advise as requested, on public works, transportation infrastructure, water resources, housing and Federal appropriation and grant programs, at a cost of \$5,000 per month. The City agreed to reimburse Alcade & Fay for reasonable expenses incurred in connection with their work at actual cost.

Motion was made by Councilor Bujakowski, and seconded by Councilor Pelham, to resolve to postpone action on the continued relationship with the City’s lobbyist, Alcade & Fay, Ltd. until discussion at the Work Session on July 20, 2010 and for staff to prepare a summary of the lobbyist group.

Vice Mayor Walton asked a question to determine what monies would have come to the City anyway without the lobbyist.

Councilor Pelham raised a point of order, whether or not Vice Mayor Walton’s comments were related to the issue. The City Attorney ruled that it was allowable discussion.

Mayor Luman-Bailey requested that Council be provided with any additional information at the Work Session.

Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes

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Councilor Pelham	-	yes
Councilor Shornak	-	yes

CITIZEN/COUNCILOR REQUEST – COUNCILOR BUJAKOWSKI – GUIDELINES AND UNIFORM FORMAT FOR BUDGET REQUEST SUBMISSION BY ALL EXTERNAL ENTITIES (OUTSIDE AGENCIES) FOR COUNCIL CONSIDERATION AND ADOPTION AT THE AUGUST 10, 2010 MEETING

Councilor Bujakowski was interested in developing guidelines and a uniform format for budget request submissions by all external entities for Council consideration. He would like to be able to tell citizens what the entity did with the money that the City gave them.

Motion was made by Councilor Bujakowski, and seconded by Councilor Stokes, to authorize City staff to develop guidelines and a uniform format for budget request submissions by all external entities for Council consideration. Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

CITIZEN/COUNCILOR REQUEST – COUNCILOR STOKES – REQUEST TO AMEND THE CHARTER OF THE CITY OF HOPEWELL – MOVING COUNCIL ELECTIONS FROM MAY TO NOVEMBER

Councilor Stokes proposed a request to the Virginia General Assembly to amend the Charter of the City of Hopewell to move City Council elections from May to November, and to extend the terms of the Council members which are scheduled to expire on June 30 to December 31.

A public hearing was held on August 14, 2007. City Council voted four yes and three no to approve an ordinance on first reading moving the City Council elections from May to November, contingent upon obtaining an amendment to the Charter of the City of Hopewell, Virginia from the Virginia General Assembly, and preclearance from the United States Department of Justice. On September 11, 2007, some Councilors raised concerns about the proposed action in the same year as a presidential election. It was originally drafted to be implemented on July 1, 2010. From a campaign standpoint, May was less desirable because there is a lower turnout. On September 11, 2007 Council adopted Ordinance No. 2007-14 on second and final reading. After a substitute motion to table was defeated, the vote on the original motion was three yes and three no; that motion failed also. Council Rules were waived to consider the move from May to November in 2010 (rather than 2008). The motion passed four to two.

Councilor Stokes reported that the state will start charging for staff support for all May elections. Many other localities are in the process of changing elections from May to November. In a memo from Pam Clark, Hopewell General Registrar, dated July 12, 2010, she stated that the costs of the May 2010 General Election in Hopewell were \$8,000.

Motion was made by Councilor Stokes, and seconded by Councilor Harris, to resolve to schedule a Public Hearing on August 10, 2010 at 7:30 PM to consider a request to the Virginia General Assembly to amend the Charter of the City of Hopewell to move City Council elections from May to November, and to extend the terms of the Council members which are scheduled to expire on June 30, 2012 to December 31, 2012. Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes

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Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

CITIZEN/COUNCILOR REQUEST – COUNCILOR STOKES – PROPOSED CHARTER CHANGE – CHAPTER XXI FOR A SEVEN-MEMBER ELECTED SCHOOL BOARD

Councilor Stokes proposed a request to the Virginia General Assembly to amend the Charter of the City of Hopewell, Chapter XXI, to provide for a seven-member elected School Board instead of the present five-member appointed School Board.

A public hearing was held at the City Council meeting held on July 8, 2008 regarding a proposed City Charter amendment, Chapter XXI, Section 1 – Request to change School Board Membership from 5 to 7 members. Council approved the Resolution with a vote of five yes to two no. On October 14, 2008 Council Waived the Rules to add a CCR from Councilor Stokes regarding a proposed Charter Change to Chapter XXI–School Board, and on October 28, 2008 Councilor Stokes proposed a Charter Change to Chapter XXI–School Board to raise the membership from the current five to seven, and from appointed to elected. The proposal read, *“There shall be a School Board of The City of Hopewell which shall consist of Seven Trustees who shall be residents of The City of Hopewell and elected by qualified voters of The City of Hopewell, who are residents of each ward elected one School Board member to represent their respective ward.”* There was a five to two vote tabling the issue.

On November 18, 2008 Council moved to rescind the resolution passed in July 2008 changing the membership from five to seven, which was defeated five no and two yes. A public hearing on the issue was held on November 25, 2008. There was a motion to deny the request for a seven-member elected school board, and a substitute motion to rescind the earlier Council action taken on July 8, 2008 and keep the Hopewell School Board at five members, which failed four no to three yes. The final motion was to deny the request for a charter change to have a seven-member elected school board that was unanimously approved.

Motion was made by Councilor Stokes, and seconded by Councilor Bujakowski, to resolve to set a Public Hearing on August 10, 2010 at 7:30 PM to consider a proposed City Charter amendment, Chapter XXI, Section 1-Request to change School Board Membership from five to seven members, **and** to set a Public Hearing on August 10, 2010 at 7:30 PM to consider a proposed City Charter amendment, Chapter XXI - Request to change to a School Board elected by qualified voters of The City of Hopewell, who are residents of each ward elected one School Board member to represent their respective ward. Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

REGULAR BUSINESS – SCHOOL BOARD FY 2009/2010 BUDGET RESOLUTION AMENDMENT AND APPROPRIATION

At the City Council meeting held on June 22, 2010 an amended budget request was introduced in its complete form from the School Board, of which \$8,297,282 is requested to be appropriated.

Motion was made by Councilor Pelham, and seconded by Councilor Harris, to resolve to adopt a School Board FY 2009/2010 Budget Resolution Amendment and Appropriation in the amount of \$8,297,282. Upon the roll call, the vote resulted:

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Mayor Luman- Bailey	-	yes	
Councilor Harris	-	yes	
Councilor Bujakowski	-	yes	
Councilor Stokes	-	yes	
Vice Mayor Walton	-	yes	
Councilor Pelham	-	yes	(submitted Transactional Disclosure Statement on 7/15/10 as an employee of the School Board.)
Councilor Shornak	-	yes	

REGULAR BUSINESS – HOPEWELL POLICE DEPARTMENT - APPROVAL TO APPLY FOR 2010 JUSTICE ASSISTANCE GRANT (JAG)

The Justice Assistance Grant (JAG) Program is soliciting requests for funds for the 2010 allocation. City of Hopewell's 2010 JAG allocation is \$35,161. The Hopewell Police Department will utilize the funds to sustain community policing/problem oriented policing initiatives: Community Police Officers (COPs) and Same Officer Same Neighborhood (SOSN). Funds would be allocated to patrol overtime, mobile computers, Tasers, Taser cartridges, ammunition, and literature/promotional items for distribution in the community. All literature and promotional items will have the department's name and contact phone numbers. No match is required for the grant.

The Hopewell Police Department has been a recipient of JAG and LLEBG (Local Law Enforcement Block Grant) funding for over 10 years. Funding for the last five grant cycles includes \$125,314 in FY 2009 (Recovery Act Funding); \$29,141 in FY 2007; \$18,276 in FY 2006; \$33,126 in FY 2005; and \$13,597 in FY 2004. Grant funds have been used to purchase mobile computers, in-car video cameras, Tasers, and surveillance and camera equipment.

Motion was made by Councilor Harris, and seconded by Councilor Pelham, to authorize application for the 2010 Justice Assistance Grant (JAG) in the amount of \$35,161. Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

REGULAR BUSINESS – HOPEWELL POLICE DEPARTMENT – 2010 COPS SECURE OUR SCHOOLS GRANT

The COPS Secure Our Schools grant program is soliciting requests for funds that allow schools to establish and enhance a variety of school safety equipment and/or programs to encourage the continuation and enhancement of school safety efforts within the community. Dupont Elementary School has been selected by Hopewell Public Schools as the site in need of security enhancements. Similar to the enhancements put in place at Harry E. James Elementary School in 2008 with assistance from a COPS 2008 Secure Our Schools grant, Dupont Elementary School will be outfitted with an Access Control/Intercom System. The Hopewell Public School System continues its vendor relationship with Honeywell International (the vendor for the project at Harry E. James) and has received a quote of \$34,373 for the project. A 50% match is required; Hopewell Public Schools have \$18,000 earmarked for this project.

Hopewell Police Department and Hopewell Public Schools have partnered on COPS Secure Our Schools grants in 2008, 2004, and 2003. In 2003 \$7,500.00 was awarded. In 2008 \$27,604.00 was awarded. The 2003/2004 project was for camera systems at Carter G. Woodson Middle School and Patrick Copeland Elementary School. The 2008 project was for a CCTV and Access Control/Intercom System at Harry E. James Elementary School.

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Hopewell Public Schools will provide the required 50% match. The Hopewell Police Department will fiscally manage the COPS grant, ensuring that grant funds awarded are directed to the school safety efforts at Dupont Elementary School.

Motion was made by Councilor Harris, and seconded by Vice Mayor Walton, to authorize application and receipt of the 2010 COPS Secure Our Schools Grant in the amount of \$34,373, with the 50% (\$18,000) match from the Hopewell Public Schools. Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

REGULAR BUSINESS – CITY COUNCIL RESOLUTION – CITY DEPARTMENTS & OUTSTANDING PERFORMANCE

Hopewell City Council wished to recognize the City of Hopewell employees with grateful appreciation for providing essential public services with reduced revenues in FY 2009, and FY 2010.

Motion was made by Councilor Pelham, and seconded by Councilor Stokes, to adopt the City Council Resolution. Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

RESOLUTION

WHEREAS, City of Hopewell employees provide essential public services; and

WHEREAS, reduced revenues in Fiscal Years 2009 and 2010 have forced city employees and departments to find ways of maintaining services with fewer resources; and

WHEREAS, the city expects to continue operating with reduced revenues for the foreseeable future; and

WHEREAS, the City of Hopewell will need to rely on employee dedication and initiative during this period of declining revenues; and

WHEREAS, Hopewell city employees were called upon to provide extra services due to a variety of circumstances such as extreme weather, increased need for public assistance, and a focus on neighborhood crime prevention, and

WHEREAS, the Hopewell City Council of the City of Hopewell would like to recognize city employees for these efforts.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Hopewell publicly expresses appreciation for the efforts of city employees; and

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BE IT HEREBY FURTHER RESOLVED that the City Council commends the city departments and employees for their initiative and dedication during these difficult times.

IN WITNESS WHEREOF this 13th day of July 2010.

Mayor Christina J. Luman Bailey, Ward #1

K. Wayne Walton, Ward #5

Michael C. Bujakowski, Ward #3

Brenda S. Pelham, Ward #6

Curtis W. Harris, Ward #2

Gerald S. Stokes, Ward #4

Jackie M. Shornak, Ward #7

REGULAR BUSINESS – SHERIFF’S DEPARTMENT – BYRNE/JUSTICE ASSISTANCE GRANT: LAW ENFORCEMENT PROGRAMS \$55,942 IN FEDERAL FUNDS + \$2,945 MATCHING FUNDS = \$58,887

The Commonwealth of Virginia, Department of Criminal Justice Services has advised the City Manager that number 11-A2123AD08 for the Law Enforcement Programs grant program has been approved for a total of \$55,942 in Federal Funds and \$2,945 in Matching funds for a total award of \$58,887. To indicate acceptance of the award and conditions, the award acceptance must be signed by the City Manager.

Motion was made by Councilor Pelham, and seconded by Vice Mayor Walton, to resolve to authorize acceptance of the Byrne/Justice Assistance Grant in the total amount of \$55,942. Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes	
Councilor Harris	-	yes	
Councilor Bujakowski	-	yes	
Councilor Stokes	-	yes	(submitted Transactional Disclosure Statement on 7/13/10 as an employee of the Sheriff’s Dept.)
Vice Mayor Walton	-	yes	
Councilor Pelham	-	yes	
Councilor Shornak	-	yes	

REGULAR BUSINESS – CITY ATTORNEY - REMINDER OF AMENDED COUNCIL RULES – ADD TO AGENDA FOR AUGUST 10, 2010

City Attorney Lacheney reminded City Council to review the Amended Council Rules and Procedures which will be included on the Agenda for August 10, 2010 for approval.

REGULAR BUSINESS – APPOINTMENTS TO BOARDS AND COMMISSIONS

Motion was made by Councilor Pelham, and seconded by Councilor Bujakowski, to reappoint Councilor Stokes to the HRWTF Commission for a term extending through October 31, 2010. Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

REPORTS OF CITY COUNCIL COMMITTEES

Councilor Stokes (Cemetery Beautification Committee) thanked the administration and Mr. Phil Elliott, Director of Public Works for the great job at the cemetery. The streets have been repaved and the grass is being cut regularly.

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REPORTS OF CITY COUNCIL MEMBERS

Councilor Shornak thanked the City Manager and City Departments who helped her and Councilor Bujakowski in their orientation process.

Councilor Pelham thanked everyone during her recent bereavement at the passing of her nephew. She travelled to Anchorage, Alaska to be with the family, and she asked for continued prayers. A memorial service will be held on Saturday, July 24, 2010 in Hopewell. She thanked everyone for their continued support while on Council. She looks forward to doing the work of the city.

Councilor Bujakowski indicated that there is a lot of “us vs. them” in Hopewell. Council does not seem to want to address it, but he does. It is detrimental to progress. If the citizens want Council to do better, help them to do better. The Mayor and Vice Mayor need to be successful. It is extremely detrimental to the City when good people with good minds pick at each other. He had the pleasure of playing sports with some good people. He learned that there is no “I” in Team. There is also no “I” in Hopewell, but there is a “we.” The city needs to concentrate on that. Division does not serve any purpose. The Council needs to work together. Expect Council to do a good job. There is no need for animosity. Be positive – it is the only way to change the perception of this city.

Vice Mayor Walton voiced the great opportunities in our region, with the expansion at Ft. Lee, the Osage plant in Hopewell, and the Rolls Royce plant in Prince George, etc. Many good things are going on in Hopewell.

Mayor Luman-Bailey thanked Councilor Pelham for her assistance and service as Mayor. The past two Mayors did not have the former Mayor on Council, but she does. She offered condolence to the Pelham family at their recent loss. The memorial service will be held at 1:00 PM on Saturday. The P.A.L Breakfast will be on July 24 from 8:00-10:00 AM at Applebee’s. She thanked the Redling Family for making the outdoor movie on July 12th a success. The last 15 minutes of the movie were rained out due to the storm. She thanked the Downtown Partnership. The next movie will be on August 9, Kung Fu Panda, with some live demonstrations planned. Mayor Luman-Bailey offered congratulations at the Governor’s News Release that Praxair is investing \$15M at the Osage site. It will create 17 jobs. It was bid by North Carolina, South Carolina, and West Virginia. (The City Manager credited Mr. March Altman for his six months’ work on getting Praxair to Hopewell.) Hopewell has cooperation and collaboration; positive in the city. Everyone must cut back on the negativity. It is not about personal issues, but about policy making.

ADJOURN

At 9:12 PM **motion** was made by Councilor Pelham, and seconded by Councilor Stokes, to adjourn the meeting. Upon the roll call, the vote resulted:

Mayor Luman- Bailey	-	yes
Councilor Harris	-	yes
Councilor Bujakowski	-	yes
Councilor Stokes	-	yes
Vice Mayor Walton	-	yes
Councilor Pelham	-	yes
Councilor Shornak	-	yes

Christina J. Luman-Bailey
Mayor

Ann M. Romano, City Clerk